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Suzanne Henderson

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**SECOND AMENDMENT AND RATIFICATION
OF OIL, GAS AND MINERAL LEASE AND MEMORANDUM OF OIL AND
GAS LEASE**

STATE OF TEXAS }
COUNTY OF TARRANT }

WHEREAS, Billy W. Harris and wife, Cynthia A. Harris, hereinafter referred to as "Lessor", heretofore executed an unrecorded Oil, Gas and Mineral Lease dated February 21, 2007, to Bagby Energy Holdings, LP, hereinafter referred to as "Lessee", recorded as a Memorandum of Oil and Gas Lease at Clerk's Document No. D207216979 in the Official Public Records of Tarrant County, Texas, and amended by Amendment of Oil, Gas and Mineral Lease and Memorandum of Oil and Gas Lease executed by Billy W. Harris and wife, Cynthia A. Harris, as Lessor, to XTO Energy Inc., as Lessee, effective February 21, 2007 and recorded at Clerk's Document No. D207216979 in the Official Public Records of Tarrant County, Texas, hereinafter referred to as "the Lease", whereby Lessor leased certain lands situated in Tarrant County, Texas, as described in the Lease to wit:

2.33 acres, more or less, out of the J. McDonald Survey, A-997, Tarrant County, Texas, being more particularly described in three (3) parcels below:

PARCEL NO. 1

All that certain lot, tract or parcel of land situated in the James McDonald Survey, Abstract No. 997, Tarrant County, Texas and being a portion of a 1.0 acre tract, as recorded in Volume 6124, Page 45, Deed Records, Tarrant County, Texas, and being a portion of First and Second Tracts, as recorded in Volume 2951, Page 542, Deed Records, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod, being about South 30° 00' East a distance of 2882.4 feet, South 60° 00' West a distance of 1113.31 feet and South 28-3/4° East a distance of 289.0 foot from the Northwest corner of the James McDonald Survey;

THENCE South 26° 33' East a distance of 268.82 feet to an iron rod in the North line of County Road No. 2147;

THENCE South 60° 20' 30" West at a distance of 54.1 feet, an old iron rod at the Southeast corner of said 1.0 acre tract, a total distance along the North line of said County Road No. 2147 of 162.72 feet to an iron rod;

THENCE North 60° 00' East a distance of 162.78 feet to the Place of Beginning and containing approximately 1.0 acre of land.

Being the same land described in Warranty Deed dated June 10, 1977, executed by Myrtle Ford et al to Billy W. Harris and wife, Cynthia A. Harris, recorded in Volume 6266, Page 715, Deed Records, Tarrant County, Texas.

PARCEL NO. 2

Being one (1) acre of land out of the Heirs of J. McDonald Survey, A-997, Tarrant County, Texas, described as follows:

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COMMENCING at the Northeast corner of the Heirs of J. McDonald Survey;
THENCE South 30° East with the East line of said Survey, 2,882.4 feet to a point;
THENCE South 60° West, 531.2 feet to a Point;

THENCE South 28° 45' East, 388 feet to a point;

THENCE South 60° West, 664.7 feet to the beginning of this tract to be described;

THENCE South 60° West, 272.3 feet to an iron pin for corner;

THENCE South 33° 30' East, 160 feet to an iron pin in the North right-of-way line of County Road 2147;

THENCE North 60° East with the said North right-of-way line, 272.3 feet to an iron pin for corner;

THENCE North 33° 30' West, 160 feet to the Place of Beginning.

Being the same land described in Warranty Deed dated October 12, 1995, executed by Edward L. Harris and wife, Jo Ann Harris to Billy W. Harris, recorded in Volume 12136, Page 1020, Official Public Records, Tarrant County, Texas.

PARCEL NO.3

The following described tract or parcel of land situated in the James McDonald Survey, A-997, Tarrant County, Texas, and being a portion of First and Second tract as recorded in Volume 2951, Page 542, Deed Records, Tarrant County, Texas and being more particularly described as follows:

BEGINNING at the Northwest corner of a 3.32 acre tract as recorded in Volume 4969, Page 828, Official Public Records, Tarrant County, Texas and being about South 30° 00' East, a distance of 2882.4 feet, South 60° 00' West, a distance of 1066.2 feet, and South 28-3/4° East, a distance of 289.0 feet from the Northwest corner of the said James McDonald Survey;

THENCE South 60° 00' West, a distance of 47.11 feet to an iron rod;

THENCE South 26° 33' East, a distance of 268.82 feet to an iron rod and being in the North line of County Road No. 2147;

THENCE North 60° 20' 30" East along the North line of said County Road No. 2147, a distance of 61.09 feet to the Southwest corner of said 3.32 acre tract;

THENCE 29° 32' West along the West line of said 3.32 acre tract, a distance of 269.0 feet to Place of Beginning, containing 0.33 acres of land, more or less.

Being the same land described in Special Warranty Deed dated August 24, 1999, executed by Edward L. Harris and wife, Jo Ann Harris to Billy W. Harris, recorded in Volume 13984, Page 217, Official Public Records, Tarrant County, Texas.

AND WHEREAS, said description in the Lease is incomplete and indefinite and the lands intended to be covered are more accurately described as follows:

2.33 acres, more or less, out of the J. McDonald Survey, A-997, Tarrant County, Texas, being more particularly described in four (4) tracts below:

Tract 1: 1.0 acres, more or less, situated in the James McDonald Survey, Abstract No. 997, Tarrant County, Texas being the same land described in Warranty Deed dated June 10, 1977, executed by Myrtle Ford et al to Billy W. Harris and wife, Cynthia A. Harris, recorded in Volume 6266, Page 715, Deed Records, Tarrant County, Texas.

Tract 2: 0.60 of an acre, more or less, out of the James McDonald Survey, A-997, Tarrant County, Texas, being the same lands more particularly described in that

certain Warranty Deed dated March 4, 1985 from Doris Ann Harris Goode to Edward L. Harris, recorded in Volume 11366, Page 1295, Deed Records, Tarrant County, Texas; and

Tract 3: 0.4 of an acre, of an acre, more or less, out of the James McDonald Survey, A-997, Tarrant County, Texas, being the same lands more particularly described in that certain Special Warranty Deed dated March 4, 1985 from Doris Ann Harris Goode to Edward L. Harris, recorded in Volume 8114, Page 1428, Deed Records, Tarrant County, Texas.

Tract 4: 0.33 acres of land, more or less, situated in the James McDonald Survey, A-997, Tarrant County, Texas, being the same land described in Special Warranty Deed dated August 24, 1999, executed by Edward L. Harris and wife, Jo Ann Harris to Billy W. Harris, recorded in Volume 13984, Page 217, Official Public Records, Tarrant County, Texas.

NOW, THEREFORE, in consideration of the premises, and for the purposes of making the said lease definite and certain in respect to the identity of the lands to be covered thereby, the undersigned **Billy W. Harris and Cynthia A. Harris, husband and wife** do hereby declare that it was and is our intention to lease for oil and gas purposes the identical tract of land last above described; and we hereby amend said lease in respect to the description of the lands included therein, as aforesaid, and ratify and adopt the same as so amended.

FURTHER, in consideration of the premises leased herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **Billy W. Harris and Cynthia A. Harris, husband and wife** do hereby Adopt, Ratify and Confirm the Lease and all of its Terms and Provisions, as if herein set out in its entirety, and do hereby Grant, Lease, Demise and Let said lands and premises unto XTO Energy Inc., Lessee, as fully and completely as if Owner(s) had originally been named as Lessor(s) in said Lease, and had executed, acknowledged, and delivered the same in their own proper person(s).

EXCEPT as otherwise amended the above described lease is and shall remain in full force and effect as written in accordance with its terms and conditions, and the undersigned Lessor recognizes said lease as a valid and sustaining Oil, Gas and Mineral Lease.

IN WITNESS WHEREOF, this instrument is executed by the undersigned Lessor on the respective date of acknowledgment below, but is effective as of the date of February 21, 2007, date of The Lease.

LESSOR:

Billy W. Harris
Billy W. Harris

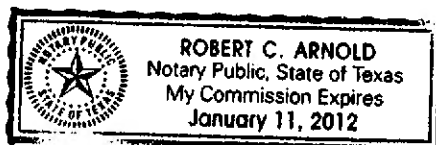
Cynthia A. Harris
Cynthia A. Harris

Address: 185 Nelson Wyatt Road
Mansfield, Texas 76063

ACKNOWLEDGMENT

STATE OF TEXAS }
COUNTY OF TARRANT

This instrument was acknowledged before me on the 13 day of April, 2009, by **Billy W. Harris and Cynthia A. Harris, husband and wife.**



Robert C. Arnold
Notary Public, State of Texas

Return to: Bryson G. Kuba
6127 Green Jacket Dr.
Apt. # 1136
Fort Worth, TX 76137